IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.5135 OF 2006

Narayan Namdeo Aware, .. Petitioner.
Vs
Central Bank of India, .. Respondent.

Mr S.D.Dharmadhikari, for the petitioner.

CORAM : D.B.BHOSALE,J.
DATE : 04.09.2006

PC:

1. Heard the learned counsel for the petitioner.

2. The judgment-debtor claims that in the earlier Darkhast the entire amount has been paid and it is reflected in the order passed at Exhibit-12. The Court below, however, on examination of the document Exhibit-12 and the order passed thereon, held that there was no averment about the payment and/or evidence in support thereof. Mr Dharmadhikar, learned counsel for the petitioner, submits that the amount was paid in cash to the advocate. Such averment cannot be entertained made across the Bar. In the circumstances, I find no reason to interfere with the impugned order in the writ jurisdiction under Article 227 of the Constitution of India. The trial Court has rightly rejected the application. The writ petition is dismissed.

(D.B.BHOSALE,J.)